

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application or:	
MAXIMILIAN POLYAK, et al.	)
Application No.: 09/976,804	) Group Art Unit: 1651
Filed: October 12, 2001	) Examiner: Sandra E. Saucier
For: COLD STORAGE SOLUTION FOR ORGAN AND BIOLOGICAL TISSUE PRESERVATION	) ) )
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
Sir:	

# RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the restriction requirement in the Office Action dated July 2, 2003, Applicants respectfully elect, with traverse, Claims 1-6, 9-12, and 19 drawn to an organ or biological tissue preservation aqueous cold storage perfusion solution. A petition and a fivemonth extension of time fee are being simultaneously submitted herewith.

# **REMARKS**

The Examiner has made a restriction requirement requiring election between the inventions of:

Group I: Claims 2-6, 9-12, 19 drawn to a first solution comprising prostaglandin, NO donor, glutathione precursor, classified in class 435, subclasses 1.1, 1.2, 1.3, 2 and others.

Group II: Claim 7 drawn to a third solution comprising prostaglandin, NO donor, glutathione precursor, adenosine, allopurinol and pentastarch classified in class 435, subclasses 1.1, 1.2, 1.3, 2 and others.

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ATTORNEY DOCKET NO.: 053137-5001-01

Certificate of Mailing (37 C.F.R.91.01

Thereby certify that this paper, and the papers and fees referred to herein as transmitted, submitted or enclosed, are being apposited on shown below with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Pay 1450 Alexandria, VA 22313-1450. Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: January 2, 2004

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	FOR ORGAN AND BIOLOGICAL	)	
	TISSUE PRESERVATION	)	

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

# TRANSMITTAL LETTER

Enclosed please find a Response to Election/Restriction Requirement in connection with the above-referenced matter to be filed with your office. Applicant petitions for an extension of time, the fee for which is set out in 37 C.F.R. §1.17(a), for five (5) months.

ATTORNEY DOCKET NO.: 053137-5001-01

The Commissioner is hereby authorized to withdraw \$1,005.00 from Deposit Account 50-0310 (053137-5001-01) for the five-month extension of time. The Commissioner is hereby authorized to change any additional fees which may be required, including fees due under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS,

Date: January 2, 2004

Kim R. Jessum

Reg. No.: 43,694

Customer No.: 028977

MORGAN, LEWIS & BOCKIUS LLP

1701 Market Street Philadelphia, PA 19103

(215) 963-5000